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**Date:** October 21, 2004

**To:** Examiner Phuoc H. Nguyen  
Group Art Unit: 2143

**Fax No.:** (703) 872-9306

**Re:** U.S. Patent Application No. 09/475,765  
Filed: December 30, 1999  
Applicants: Eric Hamer et al.  
Docket No: KEYNP005  
Attorney: Gary T. Aka

**Attached:**

- 1) Transmittal Form (1 pg);
- 2) Response to Notice of Non-Compliant Amendment (7 pgs).

**Total Pages (including cover sheet)** 9

**CERTIFICATE OF FACSIMILE**

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Diane Elizandre

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PTO/SB/21 (08-03)

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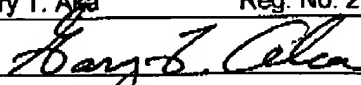
Approved for use through 8/30/2003. OMB 0881-0031

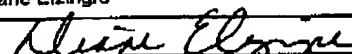
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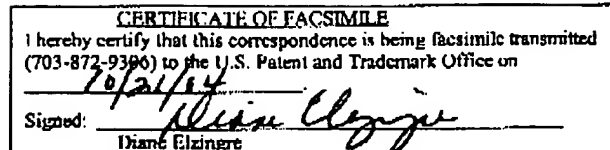
|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) | Application Number     | 09/475,765        |
|   | Filing Date            | December 30, 1999 |
|   | First Named Inventor   | Eric Hamer        |
|   | Group Art Unit         | 2143              |
|   | Examiner Name          | Phuoc H. Nguyen   |
| Total Number of Pages in This Submission  | Attorney Docket Number | KEYNP005          |

| ENCLOSURES (check all that apply)   |   |  |
|---|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Return Postcard<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Response to Notice of Non-Compliant Amendment |
| Remarks   |   | The Commissioner is authorized to charge any additional fees to Deposit Account 60-1652.   |
| In response to the Notice of Non-Compliant Amendment mailed September 27, 2004, please make the enclosed of record.   |   |  |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm and Individual name                   | RITTER, LANG & KAPLAN LLP<br>Gary T. Aka Reg. No. 29,038                            |
| Signature                                  |  |
| Date                                       | October 21, 2004  |

| CERTIFICATE OF FACSIMILE   |   |      |                  |
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| I hereby certify that this correspondence is being facsimile transmitted (703) 872-9308 to the U.S. Patent and Trademark Office on the date shown: |   |      |                  |
|  |   |      | October 21, 2004 |
| Typed or printed name  | Diane Elzingre  |      |                  |
| Signature  |  | Date | October 21, 2004 |

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/475,765  
Applicant : ERIC HAMER et al.  
Filed : December 30, 1999  
TC/A.U. : 2143  
Examiner : PHUOC H. NGUYEN

Confirmation No.: 6830

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Docket No. : KEYNP005  
Customer No. : 26541  
Title : METHOD AND SYSTEM FOR EVALUATING  
QUALITY OF SERVICE OVER THE INTERNET

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

In response to the Notice of Non-Compliant Amendment mailed September 27, 2004,  
please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2  
of this paper.